D7.34.99

G. R. S. IX

Previous references.

(1897-98)
~~191~~.
(L.R)

File No. 65.97

Serial Nos. 1-9.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-9

In ~~Part~~ B for December 1900

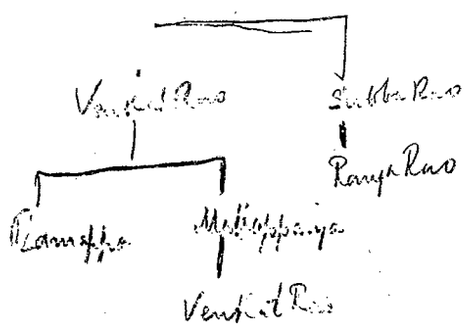
SUBJECT.

Appointment of Narasimhaiah, Son of Nadiga Bhistappa for the Shanbhogi office of Veerapur Village, Shimoga Tk.

Indexed

W D 1250—GPB—30,000 28-1-19

Appeal petition No 2475
of 28-3-98



Appellant — Nadiga Bistappa of Gajanur village, Shimoga Taluk, Shimoga district.

List of persons whose names are mentioned in the file:-

(1) Venkata Rao } brothers
(2) Subba Rao }

(3) Ranga Rao – Subba Rao's son.

(4) (a) Ramappa } (brothers) and
(b) Mallappanna } sons of Venkata Rao.

(5) Bistappa – His father-in-law was Nadiga Subba Rao.

(6) Krishnaya – Brother-in-law of Nadiga Subba Rao & was guardian to Bistappa.

(7) Venkata Rao – (minor) son of Mallappanna

Subject

This is an appeal against order No 125 of 19-8-97 of the Dy. Comr of the Shimoga district, declining to dispense with the services of Nadiga Ranga Rao the present officiating Shanbhogue of Veerapura.

Facts of the case.

There was a case regarding the Shanbhogi office of Gajanur mag before the 3rd Addl. Com

of the District. The petitioner was Venkat Roa (1) and the Counter-petitioners were Bistappa (5) and Ranga Roa (3) This case was disposed of by the Asstt: Comr on 12-10-86. At this time the Baravardar of the Magani was Venkata Roa (7) minor son of Mallappaya, aged about seven. Hutti Tammappa was gumasta to him. During the Potizi settlement the Gajanur Magani was divided into four circles. Both the petitioner & the counter-petitioners claimed the Shanbhogi office of ~~the Magani~~ Gajanur. The Asstt: Comr decided the Shanbhogi office of Gajanur village in favour of Bistappa The grounds on which the Asstt: Comr based his decision were, that Bistappa had an Umbli (service Inam land) in Gajanur village, that there was the Chief Comr's Proceedings No 1615-56 of 17-5-1879 to the effect that the possessors & the enjoyers of Umbli in a village should be appointed the Shanbhognes of that village, and that in the registers of 1835 & 1865 and in the Shanbhogi

Vide - (4)7.
Asstt: Comr's judgment of 12-10-86.

Before the Government of Mysore.

Appeal No. 42 of 1898-99.

Appellant.	Vs.	Respondent.
Nadiga Chistappa since deceased by son Narasimhaniya		Nadiga Ranga Rao.

Notices

10. 7. 99.

Appt dead & his son prays for decision on records.

Respt absent.

Whether Ranga Rao can take up another charge in addn to his own?

Call for further report

[signature] 10/7/99.

Further report received. Case reposted for hearing on 9th January 1900.

Notices served.

Parties absent

Appeal allowed

25/10/00.

8

Before the Government of Mysore.

Appeal No. 42 of 98-99

Appellant.	Respondent.
Nadig Bishtappa of Shimoga. Since deceased by his son Narasimhaiya	Nadig Rangarow of Kuskie Shimoga Tk

Subject:- Claim to the Shanbhoje of Veerapura Inam village, Shimoga Taluk.

Posted for hearing on 10th July 1899.

Subd to 1st Councillor.

Was the [illegible] appl proper? Was he only a [illegible] Has [illegible] a [illegible] to the [illegible]

30/6/99

11634

Seen

30/6/99

[illegible]

[illegible]

10.7.99

Reposted for hearing on 9th January 1900. 2nd Councillor absent at Calcutta.

Adjourned to 25th October 1900.

Jhadli patti of 1841 Bistappa's name was mentioned as the hakdar shanbhog of Veerapuru & Gajanur, But the Asstt: Comr allowed Venkata Roa to be permanent Baravardar as before, having authorized his father to appoint a temporary gumasta to do the duties of Shanbhog of his circle.

2. Mallappaya father and guardian of Venkata Roa appealed to the Dy. Comr against the above order of the Asstt: Comr on the ground that Bistappa before Court might not be Bistappa mentioned in the registers referred to in the Asstt: Comr's order. But Mallappaya failed to substantiate his ground though the Dy. Comr gave him ample opportunities to prove his case. Therefore the Dy. Comr rejected the appeal and confirmed the order of the Asstt: Comr in appointing Bistappa to the Shanbhogship of circle No 8 Gajanur.

Vide - (5) 7.
Dy. Comr order.
9/18-8-87

3 Mallappayya appealed to the Govt. against the order

of the Dy. bom^r referred to in para 2. But his appeal was rejected & the Dy. bom's order was confirmed on the ground that Bistappa had possessed an Umbli in the village of Gajanur & ~~he~~ was appointed Shanbhogue of the village in accordance with the Chief bom's Proceedings no 1615-56 dy 17-5-1879.

Vide - (6)7

4 Three months before the above Govt. decision was passed Bistappa had claimed the Shanbhogi office of Veerapura & submitted the following petition to the 3rd Asstt: bom^r. - That he was the hakdar Shanbhogue of Gajanur & Veerapura. That he was in possession and enjoyment of an Umbli 3 candies and 2 1/4 Kolagas in extent in Gajanur, and an Umbli one candy in extent in Veerapura. That he was mentioned hagdar Shanbhogue of the two villages in the Barabaluti registers of 1835, 1840 & 1865 and the Shanbhogue Jhadti patti+ of 1840. That when he was

Vide - (1)7
Bistappa's petition of 7-4-96 to the Asstt: bom^r

note - + Vide (2 and 3)7
In these patties Bistappa is mentioned as hagdar of Gajanur & Veerapura.

a minor his father-in-law Subba Rou managed the Shanbhogi office with the aid of a gumasta called Krishnappa. That even after he attained the age of discretion the office was a for a time under the management of Ranga Rou son of Subba Rou. That after the settlement of the Potigi he was permitted by the dy. comr in 1886 to do the duties of shanbhogue of Gajanur. But that the shanbhogi office of Veerapura was not conferred on him on the ground that the village was an inam village & did not belong to the Potigi circle. Therefore that the shanbhogi office of Veerapura might be conferred on him on the same ground on which the shanbhogi office of Gajanur was conferred on him. And that the registers of 1835, 1860 and 1865, the shanbhogi ghadi patti of 1840, the chief comr's order referred to in para 3, the enjoyment of the emoluments & the examination of the current accounts might all be taken into consideration in conferring the shanbhogi office

of Veerapura on him. The Amildar was asked by the Asstt: Comr to report on this petition. But there are no papers in the file to show how this petition was finally disposed of.

The Ann seems to have dealt with this petn along with the failure of the Shambhog to [illegible] accounts, and [illegible] [illegible]

5. In accordance with the Govt. Proceedings No 8257-9 / 3239 dy 12-5-96 Veerapura was under the Govt management. A Mojanidar seemed to have been sent to make a detailed survey of the village. Ranga Roa was the Shanbhogue of the village & he seemed to have refused to furnish certain accounts of the village, required for surveying it. The Mojanidar reported the same to the Amildar & the latter ordered Nadiga Ranga Roa & Bistappa to appear before him for enquiry.

Vide - (10)7
Amildar's report No 547 dy 6-4-97

6 Ranga Roa appeared and deposed as follows before the Amildar —
That the Mojanidar demanded the Pahani and other accounts to know the encroachments of lands in the village. That as Veerapura was an Inam village he did not keep any accounts. That he sent to the

Vide - (8)7
29-3-97

Talak office Khate, Khirdi Khaneshmari account, account No 12 showing the abstract statement of the entire village, balance statement, Pahani account of 30 years old, and the Jari Inamti account. That he did not know what accounts the mojanidar would require & what accounts he could furnish. That he learnt that Bistappa had submitted a petition claiming the Shanbhogi office of Gajanur & Veerapura. That the said office was enjoyed by his family from the time of his grandfather. That during the life-time of his father who was an Amildar the Shanbhogi office was ~~managed~~ conducted by a gumasta called Krishnappa for 25 years. That Krishnappa died 20 years back. That the duties of the office were ~~performed~~ conducted by him for sometime & then by gumastas viz Gundoo Roa, Venkappa and Somayya. That the office was conferred on his family as an Inam by the Anegondi Samstan. That during the Settlement of 'nadigathana' Umbli & Bhatamanya were

included in the list of Inams owing to the missing of the Taluk records concerning them. That Bistappa was not entitled to the office. That he could not account for the entry of Bistappa's name in the Barabaluti registers as hakdar & the absence of his father's name in the same as hakdar. That he was in possession and enjoyment of the office.

7. Bistappa agreed to produce the records required for surveying the village. Thereupon the Amildar reported to the 1st Asstt: Comr as follows — * That Ranga Roa failed to produce certain accounts required for the detailed survey of Veerapura when mojamidar asked him. But that Bistappa agreed to produce the records. That Bistappa's appointment to the Shanbhogi office of Gajanur was approved by the Govt. decision. But that his claim to the Shanbhogi office of Veerapura was not considered during the Potigi settlement on the ground that Veerapura

Vide — (10) 7

Amildar's report no 547 of 6-4-97

* The assistant also refers in this report to the sett of Bistappa [illegible] & its being undergoing up to [illegible]

was an Inam village. That Bistappa should have been recognized the Shanbhog of Veerapura & therefore that he might be appointed the Shanbhogue of Veerapura also.

8 The Asstt: Comr on receiving the above report approved of the Amildar's recommendation and appointed Bistappa Shanbhogue of Veerapura ~~also~~ as his name was mentioned in the Barabaluti register as hakdar.

Vide — (10)7

Vide — Asstt: Comrs order No 642 of 3-4-97

note — Considering the date of Amildar's report & the date of the asstt: Comr's order, the dates seem to be incorrect.

9 In accordance with the above order of the asstt: Comr Nadiga Ranga Rao was ordered to hand over the charge of ~~the charge of~~ the Shanbhogi office of Veerapura to Bistappa

Vide — (11)7.

10 Whereupon Nadiga Ranga Rao appealed to the Dy. Comr against the order of the Asstt: Comr referred to in para 8. on the following grounds

Vide — (12) 9-8-97

a That the Shanbhogi office of Veerapura was

conferred on his ancestors by Anegondi Samastan & his family has been in the enjoyment of the same up to the present time.

b That Bistappa prepared the accounts of the village in 1884-85 and submitted the same to the Taluk office with a request that he might be ordered to do the duties of the Shanbhogi office of Veerapura. But that his accounts were returned.

c And that the Asstt: Comr's order was unjust as it directed the petitioner to give up a long standing right without taking any evidence ~~on the side of the petitioner~~. on his side.

11 The Dy. Comr caused notices to be served on Ranga Rao & Bistappa to appear before him for enquiry. They appeared before him & he, after enquiry, passed the following order:—

" We heard both the parties. Bistappa stated of his own accord that he was not in possession of the Shanbhogi office

— (12) —

Vide — Dy. Comr order No 125 of 19-8-97

up to this time. He also stated that his name continued to be in Barabaluti Register since 1835. Therefore it seems that he was appointed Shanbhogue more than 60 years after he ceased to enjoy the office. Therefore it does not seem fair to determine that this man is the hakdar without enquiry on the grounds (1) that the Mojani work was not done properly by Ranga Roa & (2) that Bistappa was old hakdar. Ranga Roa agrees to discharge hereafter the duties of the office without interruption. This is Inam village. Therefore if enquiry has to be made as to the person who possesses a proper haq. it should be made only at the time when the question crops up in a regular suit, when it should be determined before what tribunal and how it ought to be decided.

Under these circumstances ~~12 Bistappa~~ the Asstt: Comr's order based on the report of the Amildar is cancelled and Ranga Roa should be ordered

to work as before.

12. Bistappa has now appealed against the above order of the Dy. Com on the following grounds.

(a) That the petitioner never stated that he was not in the enjoyment of the office of Shanbhogi.

Vide - Appeal petition 24-4-98

(b) That Ranga Rao was appointed on his mere statement that he would discharge the duties of the ~~duties~~ office properly in future, is against justice

(c) That the Dy. Com's opinion that the hale should be determined in a court by a regular suit, is not proper as he was at full liberty to make proper enquiry regarding the case.

(d) That the petitioner was the Shanbhog of Gajanur & Veerapura. That Ranga Rao was only a Shanbhog of Agrahar & not of the Magani

(e) That the petitioner's name

alone is mentioned as shaubhogue of Gajanur & Veerapura in the registers of 1841 and 1865

(f) That in the Barabaluti registers of 1835, 1840 and 1865 petitioner's name and his father Duggappayah's name are entered. That there is also a reference to the effect that one Krishnappa was gumasta to the petitioner. That seven or eight years back Ranga Roa was permitted to be gumasta by him. That Ranga Roa was found unequal to carry out mojani work satisfactorily. And that the petitioner was ordered by the asstt. bom^r to do the duties of the office as he was a hakdar.

(g) That Ranga Roa has no records to show that he has been in possession of the office from a long time. That therefore the Dy. bom^r's order is not based on facts.

(h) And that Ranga Roa's appeal to the Dy. bom^r was time-barred.

And he prays on these grounds that he may be ordered to be Shanbhogue of Veerapura.

M.G.
27/6/98

The Dy comm^r states "that the Inam village of Veerapura was ordered to be surveyed & settled by Govt in 1897" but does not give the no & date of the order nor the reasons therefor.

To Rev Branch for refs

[illegible] 7/7/98.

Pet-Br

The [illegible]

Govt note [illegible] 5355 / R 375

[illegible]

Subd
M.G.
11.7.98 Put up the refs corres/pendence which led to the issue of Govt 196 / Pet 45 87/7/96
2) Put up Ch comm^r's Proc 1615-56 & 17/5/79 if not in the above file

[illegible] 12/7/98

Subd
(1) Refs put up
(2) The Comm^r proceedings refd to is in that file

AK
12/7/98

So far as the case relating to the Shanbogi of Virapura is concerned, the facts may be briefly stated

The holder of the Inam village of Virapura applied in February 1896 for the introduction of survey & settlement and this application was complied with by Govt in Proc No 8356 / R3238 8 12/3/96

During the progress of the survey, the officiating Shanbogi of Virapura (Ranga Rao) failed to produce certain accounts required by the measurer, the explanation being that no such accounts were kept

When this was reported to the auctioar, he bethought himself

of a petition 7/4/96
presented by Bistappa to
the Jamabundi Office, & forwarded
to the amildar for ~~[illegible]~~ report
if necessary

urging his claims to
the Shanbogi Office

The amildar mixed the two
things together viz Ranga Rao's
failure to assist the measurer
by producing certain accounts
& Bistappa's claims to
the Shanbogi Office & arrived
at the conclusion that
the removal of the one
& the appointment of the
other in his place was the
only possible solution of the
difficulty.

The asst Comm^r sanctioned
this proposal, as it seemed
to him that he was giving
effect to the entry in the Barabalu

Regⁿ & w. as passing no
new order.
on appeal the Dy Commr
held that the removal of
Ranga Rao was uncalled for
~~and that~~ as he agreed before
the Dy Commr to produce the
accounts & that Bostappa's
Claim to the Shambogi
was one that could be
adjudicated upon only in
a regular suit
Bostappa has appealed to
Govt against this order.
His contention is that Ranga
Rao is only a gumasta for
him & that the entries in
the Barabaluti Regⁿs are
conclusive evidence of his
~~title~~ claim and that there
is no necessity for him to
bring a regular suit
The petⁿ of Bostappa 5/4/19
presented to the Jamabandi

Officer was unstamped &
should have been returned
for this irregularity, the
exemption from Courts fee-stamps
applying only to petns relating
to remission of assessment
& matters usually disposed of
at the Jamabundi.

Parenthesis not
[illegible]

The petn was however
referred to the amildar for
report — a practice which
has been repeatedly condemned.
& which ~~cannot~~ can be
justified only by a reference
to para 20 of Mr Bowring's repeated
circular

The question before the amildar
was how to deal with the
non-production of certain
accounts by the officiator
Shanbog.

From certain passages in
the amildar's report of 6/4/
it appears that the village

is a Devadaya Inam.
or contains some Devadaya
Inams. This coupled with
the fact that no mention
of the Inamdar is made
in the Records seems to
show that the Inamdar
is a temple managed by
the local officers.

Coming now to the opposite
Shambogs failure to
produce the accounts, his
explanation is that no
accounts were kept.
This explanation is perfectly
credible, as the neglect of
the Inamdars to maintain
the accounts prescribed
by the L R Code & Rules is
notorious & formed the
subject of a reference
by the Dy Commr of Hassan

Even if the failure was due to contumacy, the amildar ~~the~~ asst comm might have tried milder measures such as fine suspension &c before resorting to the extreme measure of removal

In this case this extreme measure was ~~influenced~~ dictated by the desire to dispose of Bistappa's claim simultaneously

The Dy comm's report does not show who the Amildar is & is inaccurate in its reference to the Survey of the village The village was not ordered to be surveyed in 1897 but in 1896 When an order of Govt has to be referred to by a Dy comm, he has

The asst comm by saying that he was passing no new order, does not seem to have realised that he was removing one in possn of the office

been requested to give the no
& date of the order

[illegible] 13/7/98

The proper stamp
may be levied from
Bishtappa -
Some enquiry
is necessary in this
matter
When was Ranga
Rao appd & by whom?
What are his claims
for the office? How does
Bishtappa stand with
regard to such claims.
Ask for a further report
on these pts

24.7.98. [illegible]

[illegible]
25-7-98

Docket
[illegible] 25/7/98

Drafted
[illegible]
28.7.98

the Dy Comr in his letter
No 578/458 dated 27-1-99.
submits, in reply to the
Query of the Dr, the finding (D)
of the 1st Asst Comr dated
5th November 1898 to the
effect that Bistappa was
the registered Shanbhog of
Gajanur and Veerapur (D) (one in dispute)
that one Krishnappa was
doing the duties of the Shanbhogi
of Veerapur and Gajanur
as a gumastha on behalf
of Bistappa, that after the
death of Krishnappa and
one or two other gumasthas
Ranga Rao performed the
duties of the Shanbhogi on be-
-half of the appellant Bistappa
because the latter was his
own brother-in-law and be-
-cause he (Bistappa) was
officiating as Nadig Gumastha
in Shimoga on behalf of
Ranga Rao's father Soobhao,
that Ranga Rao's tenure of
office was therefore never
adverse to the appellant
~~and~~ that Bistappa is
the Hukdar Shanbhog of
Veerapur and that the
Inamdars who are temple
servants are indifferent
as to who should perform the
duties.

paper No 31 in the file

The Inamdar is the temple
& not its servants.

[signature] 2-1-99.

The Inamdar is in this case the temples & is represented by the Mazarayr Dept & locally by the Dscomr. The Asst Comr however seems to consider the temple servants to be the Inamdars.

The Asst Comr finds that the appltt is the hukdar Shanbog of Kirapur & that the respondent got in as gunnasta under an agreement with the appellant which the former now ignores.

Survey settlement has been introduced into this Inam village & carries with it — as rules in a govt x order of 1890 — the same incidents as in a govt village eg abolition of Aza, the fixing of potgi ~~&c. &c.~~ the keeping of certain annual accounts &c &c.

x I forget the no & date of this order & apprehend some difficulty in putting it by.

If the Asst Commr's finding — wh is based on the Regr of 1840 & other evidence — is accepted, the further question arises whether the appellant can be permitted to oust the respondent from office without specific grounds. It is not quite clear whether the appllt who is the Shamboy of Sayamva x ~~[illegible]~~ nadig ~~[illegible]~~ (vide Asst Commr's finding) is prepared to or can possibly, discharge the Shamboyi duties of Verapur in person. If he cannot possibly do so & if he wants simply to assert his right to have his own gumasta, then he seems to aim at what has been disallowed by the L R Rules (last clause of para 5 of Rule XLIII of L R Rules)

x He is not the nadig gumasta now (vide Ranga Rao's dep^n)

[illegible] 7/2/99.

Continued —

Continued —

In this office No. 1794 / P.F. 30-99 of 29.8.99, the Dy. Commr. was asked to ~~state~~ report whether Bhistappa can possibly perform the Shanbhogi duties of another village (Kirapura) without the help of a Gumasta, and without detriment to public convenience and interests, and if he cannot, why the Respdt. Ranga Rao should not be allowed to continue as Gumasta.

In reply the Dy. Commr. states, in his docket No. 367/305 of 28/10/99, that Nadig Bhistappa is dead, that his adopted son Narasimma alias Narasappa is performing the duties of Gudimur Shanbhogi office and that he is capable of performing the duties of the Shanbhogi office of Kirapura village without any help and without detriment to public convenience and interests.

Bbn
8/11.

Narasimhayya son of Bishtappa - [illegible]
appointed Shantopu of
Vizapura. as recommended
by the Dist Govt.

[illegible]
25.X.00

Draft Sub?
[illegible]
5/11/00.

25/10/1900.

Ibid

LR 65.97-

(1)

1890.

No. 2475 A.S. 92/98-98

Name of Petitioner Nadiga Bistappa

Village Gajanur

Taluk Shimoga

District Shimoga

Date of Arzi 28-3-98

Date of Receipt 4-4-98

Date of Disposal

No. of Enclosure -1-

2 Rs stamp affd

Stamp Suffi

(2) The order appealed against dated 1.3.98 in time

MLG 9.4.98

(3) Appeal against Dy Comr's order declining to remove the present Officiator Shanbogue & appoint the petr.

(4) Council Case

It is admitted that the petr's name appears in the Darabahi Regr of 1895 & that he has not been in posn of the office for 60 The Dy Comr's decision seems practically right though he appeals leaves it open to the petr to question the order by a regular suit. (The latter question — whether there are two sets of proceedings contemplated by the LR Code — will shortly be the reports having subd for orders, been received)

Subd to Dy Commissioner

13/4/98

RDY Pre 13.4.98

Call in report with the records of the case

22/4/98

ABSTRACT

Petitioner appeals against the order of the Dy. Comr, which was issued in reply to report No 125 of 19-8-97 of the 1st Asstt: Comr of the District.

The order appealed against is as follows — We heard both the parties. Bistappa states of his own accord that he was not in possession of Shanbhogi office up this time. He also

stated that his name continued to be in Barabaluti register since 1835. Therefore it seems that he was appointed Shanbhog more than 60 years after he ceased to enjoy the office. Therefore it does not seem fair to determine that this man is the hagdar, without enquiry, on the grounds (1) that the mojan work was not done properly by Ranga Roa and (2) that he (Bishappa) was old hagdar. Ranga Roa agrees to discharge hereafter the duties of the office without interruption. This is main village. ~~To know who has claims over this village, it should become a subject of enquiry in a regular suit, when the tribunal by whom it is to be decided & the manner in which it ought to be decided should be are determined~~ Under these circumstances the asstt: boms' order based ~~upon~~ on the report of the Amildar is cancelled and Ranga Roa should be

Therefore if enquiry has to be made as to the person who possesses a proper hag, it should be made only at the time when the question crops up in regular suit, when it should be determined before what tribunal and how it ought to be deci

ordered to work as before.

The petitioner urge the following grounds against the above decisio

1 That the petitioner never stated that he was not in the enjoyment of the office of Shanbhogi.

2 That Ranga Roa was appointed on his mere statement that he would discharge the duties of the office properly in future, is against justice

3 That the Dy. Comm opinion that the hag should be determine in a court by a regular suit, is not proper as he was at full lib to make proper enqu regarding the case.

4 That the petition was the Shanbhog of Ganjanur & Veerapur That Ranga Roa was only a Shanbhog of Agra & not of the magani.

5 That the petitioner's ~~is~~ name is mentioned as Shanbhog of Ganjanoor & Veerapur in the registers of 1841 and 1865.

6 ~~That Sart~~ That in the Barabaluti registers of 1835, 1840 and 1865 petitioner's name and his father Duggappayya's name are entered. That there is also a reference to the effect that one Krishnappa was gumasta to the petitioner. That 7 or 8 years back Ranga Roa was permitted to be gumasta by the petitioner. That Ranga Roa was found unequal to carry out a mojaniwork ~~sto~~ satisfactorily. And that the petitioner was ~~appointed~~ ~~ordered~~ ordered by the asst. Coms. to do the duties of the office himself, as he was a hagdar.

7 That Ranga Roa has no records to show that he has been in possession of the office from a long time. That therefore the Dy. Coms. order is not based on facts.

8 That Ranga Rao's appeal to the Dy. Comr. was time-barred.

On the above grounds the petitioner prays that he may be ordered to be shanbhog of Veerapura & that he would produce certain records to show that he is the proper hagdar to the office.

MG
6/4/(ED)

Mr. Post registered — 2 Rs. stamp affixed — [illegible] 4-4-98

2475

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT
REG'D. No. 247502
DATE 4-4-98

A.P. 42/98-99

[illegible]

[illegible] 97-98

[illegible]

[illegible]

[illegible] 28-3-98

[illegible]

[illegible]

[illegible]

2 [illegible]

3 [illegible]

4 [illegible]

5 [illegible] 1861-65 [illegible]

6 [illegible]

7 [illegible]

8 [illegible]

9

10

11

12

[illegible]

[illegible]

[illegible]

27-4-98

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

2

LR 65-97-2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 2475 dated 25.3.98 received at the Dewan's Office from Nadiga Bistaffa of Gajanur village in the Shimoga Taluk, appealing against the order of the Dy Comr declining to remove the present officiating Shanbhag of Veerapur village and to appoint pet for the same is forwarded, together with its one enclosure, to the Deputy Commissioner of the Shimoga District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

BANGALORE,

27/4/1898

27

Sec.

28/4/98

REVENUE DEPARTMENT
Gl. No. 9093
JUN 13 1898
Pet 674
From

1897-98

3

CR 65-97-3

The Deputy Commissioner
Shimoga District

Precis
19/6/98

Mr Kirkman
20/6/98

precis put
MG
27/6/98

Sub d to 2D with precis
MG
28/6/98

13/7/98

Rd 7.15 Pm.
13.7.98.

Wonderon
precis
MG

The Secretary to the
Government of Mysore
General & Revenue Dept.

Dated 9th
Despatched
Received
} June 1898.

General No. 1343
No. 1146

Enclosure No. 2 with Record

With reference to off. memo No. 1324 dated 27th April 1898.

Submits the entire records with report on the appeal petition of Nadiga Bistappa in re: the Sanbhogship of Veerapura village, Shimoga Luk.

Petition
13/6/98

Refs put up
AK
11/6/98

Sub d
MG
16/6/98

No. 1393
1146
Rec 2 with record

Shimoga District
Deputy Commissioner's office
Dated 9th June 1898

To.

The Secretary to the
Government of Mysore
General and Revenue Depts.

Sir,

With reference to Government official memorandum No. 1329 dated 27th April 1898 forwarding the appeal petition of Nadiga Bistappa of Gajanur village in the Shimoga Taluk appealing against the order of the Deputy Commissioner declining to remove the present officiating Sanbhog of Veerapur village, and requesting the submission of records &c connected with the case together with a report of the facts of the case, I have the honour to state as follows:—

The village of Veerapur is an alienated village and it was

was ordered to be surveyed and settled by the Government during the year 1897, but while survey operations were going on, the officiator Sanbhog Nadiga Ranga Rao failed to furnish the measurer with the required accounts and other information relating to the village. On this the Amildar of Shimoga recommended that Sanbhog Bistappa may be ordered to do the work of the office of Sanbhog as Ranga Rao, the officiator Sanbhog, had failed to render the accounts &c.

2 The 1st assistant Commissioner in charge of the Taluk approved of the recommendation.

3. Nadiga Ranga Rao preferred an appeal against the order of the 1st assistant Commissioner to this court. In appeal the order of the Assistant Commissioner was

reversed on the ground that Bistappa had not enjoyed the office for the last 60 years and upwards, and that he could not be now allowed ordinarily to supersede Nadiga Ranga Rao except in a regular suit and after proper inquiry.

4 The entire Kannada records connected with the Case ending with the Shimoga Amildar's Stilla No. 630 dated 26th May 1898 together with the appeal petition of Bistappa are herewith submitted.

I have the honour to be,

Sir,

Your most obedient Servant

Deputy Commissioner

Shimoga District.

1898

(4)

The Secretary to Govt
Genl and Rev Deptt

To

The Deputy Commissioner
Shimoga Dt

CR 65-97-4

Dated 28th

Despatched 30th July/98

Received

General No. 820
P. No. 81

Enclosure No.

The Dy Commr's letter
1393/1146 dated 9th June 1898, re-
porting on the petn of Nad
Bistappa of Gajanur, regard-
ing the Shambhogi of Veera-
pura in the Shimoga Taluk.

In returning the papers
received with the above for
reference and resubmission,
has the honor to observe
that the petn of Bistappa dated
7-4-96 presented to the Jaman-
bundy officer is unstamped
and should have been
returned for this irregularity

as exemption from Court Fee Stamps applies only to petitions relating to remission of assessments and matters usually disposed of at the Jamabundi, ~~and to request that the~~ (2) The Dy Comr ~~would~~ should after levying the proper Stamp institute the necessary enquiries into this petition and submit a further report as to when Ranga Rao was appointed and by whom, what are his claims for the office and how Bistappa stands with reference to such claims.

By order

for Secretary

C2
24.7.98

24/7/98

(3) The Dy Comr is further requested to report who the Inamdar of the Villages & whether he is not interested in exacting the duties from the hukdar Shambog who is enjoying the Umbli Inam but does not ~~perform~~ render service

For a Cert. of precis, please.
2/2/99
attend
2-1-99
Subd to 2nd Counsellor with precis
MEY
2/2/99
7/2/99
Rd 9.2.99.

LR 65-97-5

From The Sy. Commissioner
Shimoga District

To The Secretary to the Govt. of Mysore, General and Revenue Departments.

Dated 27th

Despatched January

Received

General No. 578
No. 458

Enclosure No. one file

with reference to his docket No 820/Ret-81 dated 28th July 1898 submits herewith the entire correspondence together with the finding of Mr. Seshagiri Rao 1st Assistant Comm. to whom the petition was referred for enquiry.

Peter
30-1-99

Recd 31/1

1 Records not checked
Checking clerk is on leave
2 Refs put up
31/1/99

1899

From

The Deputy Commissioner

Shimoga District

To

The Secretary to the Government of Mysore, General and Revenue Departments

Dated 26th January

No. 578/458

Enclo. One file

His docket No 820/Pt-81 dated the 28th July 1898 returning the petition of Nadiga Bistappa of Gazmur for report and resubmission.

— . —

With reference to the above has the honor to submit herewith the entire correspondence together the finding of Mr. Seshagiri Rao 1st Assistant Commissioner to whom it was referred for enquiry

J E D'r

LR 65-97-6

(6) Proc. of the Govt. of Mysore

Appt. Nadig Bistappa — Regd. Nadig Rangaraw

Read

Petition of appeal No. 2475/AS 92 of 1897-98 presented by Nadig Bistappa of Gajanur village in the Shimoga taluk, against the order of the Dy. Comr., Shimoga Dist., referring him to a regular suit for possession of the Shanbhoji office of Virapur village in the same taluk.

(2) Correspondence ending with letter No. 578/458 of 27-1-99 from the Dy. Comr., Shimoga Dt., submitting the finding of the 1st Asstt. Comr. to the effect that the appellant

(Nadig Bistappa

Draft for appt. Sent to 1st Councillor
Hy 29/7/99
11871
30/7/99

Sent to 2nd Councillor
Hy 1/8/99

R 5.8.99

25/8/99

28/8/99

26/9/99

should not be allowed

to continue as gumasta.

C1 C2

Secretary

To The Dy. Comr., Shimoga Dt.

with record.

comp
Bbn

+ ಇತ್ತೆ ಪ್ರಕಾರ ಮಾಡಿದೆ

30-8-99 [illegible]

(Nadig Bistappa) is the hakdar
Shanbhog of Virapur, and
that the respt (Ranga Rao)
is the gumasta of the former.

Order thereon Rs 1794 / P.F. 34-99, Rs 29.8.99 / 30

The finding of the Asstt
Comr shows that the Applt
Bistappa is already the
hakdar shanbog of Gajanur.

The Dy. Comr is requested
to report whether Bistappa
can possibly perform the
shanbhogi duties of another
village (Virapur) without
the help of a gumasta, and without detriment
Convenience &
to public interests
and if he cannot, why
the respdt Ranga Rao
should

Pd 34 of 99 relating to the subject is put up

LR 65-97-7

(7) 1899 Gl. No. 2835 Pt. 133

From The Deputy Commissioner Shimoga District

OFFICE OF THE ... OF MYSORE 4072 1-11-99

To Council Clerk

8.11.99 to 2nd Councillor

Subd with precis continue

8/11/99

Rd 6.30 PM
8.11.99

12442

If parties have been heard the matter may be disposed of by granting the pattern of Narasayya who is the given charge of Virapur also. If not the parties had better be heard submit to 1st Councillor

3.11.99

Pagan

Secretary to the Govt of Mysore Gl. & Rev. Departments

Dated 23rd October/99.

Despatched

Received

General No. 367
No. 305

Enclosure No. K. L. 1 & Files

With reference to G. Pro. No. 1794 Pat. 7.34.39 d 29th August 1899 states that Nadig Bhistappa has died and that his adopted son Narasimmayya alias Narasappa is performing the duties of Gajanur Sanbog & that he is capable of performing the duties of the office of Sanbog of Virapur village without the help.

1.11.99 Rd 3/11/99

1899-1900.

From The Deputy Commissioner
Shimoga District.

To The Secretary to the Government of Mysore,
General and Revenue Departments.

Dated 28th October 1899

No. 367/305 Cu: K. N. (2 files)

Government Proceedings —

No. 1794/Pet. F. 34-39, dated 29th August 1899, requesting to report whether Nadiga Bhistappa of Gajanur village, in the Shimoga Taluk, can possibly perform the Sanbog duties of another village (Virapur) without the help of a gumasta.

With reference to the above, has the honour to report that the Amildar of Shimoga, reports, that

that Nadig Bhistappa has die
and that his adopted son Na
simmayya alias Narasappa is
performing the duties of Gajam
Sanbog since the ~~date~~ death of Bhistapp
and that he is also capable of
performing the duties of the offi
of Sanbog of Vrapur village
without the help of a gumasta a
without detriment to public con
venience and interests.

3. The Kannada correspondence
bearing on the subject, is herewit
submitted for information and
kind return when no longer
required.

C Balasundaram
For Deputy Commissioner
Shimoga District

[illegible]

(9)

Proceedings of the Govt of Mysore

Before Mr P. N. Krishna Murti, C.I.E.
& Mr V. P. ~~Krishna Murti~~ Madhava Rao, C.I.E.

Appeal No. 42 of 1898-99.

Appellant
Nadig Bishtappa,
Since deceased,
by his son Narasimhaiya.

Respondent
Nadig Ranga Rao

LR 65-97-8

Read again:-

Govt Pro: No. 1794 / P.T. 34-99.

dated 29th August 1899 calling for further report from the Dy Comm of Shimoga as to whether the Appt ~~Bishtappa~~ Bishtappa who was already the hereditary Shanbhog of Gajanur firka ~~could~~ ~~possibly~~ perform the Shanbhogi duties of another village viz: Virapura without the help of a Gumasta and without detriment to public convenience and interests and if he cannot whether the Respondent Ranga Rao should not be allowed to continue as Gumasta.

Conveniently

Read:-

Letter No. 367/30 3 28/10/99

from the Dy Commr, Shimoga Dt, reporting that Nadig Bishtappa is dead and that his adopted son Narasimhaiya alias Narasappa who has been doing the Shanbhogi duties of Gajanur firka since the death of Bishtappa is also capable of performing the Shanbhogi duties of Tirapura without the help of a Gumasta and without detriment to public convenience and interests.

(2) The records of the case.

Order thereon:- 4493 / 8 I 34 of 99 — 10/11 : 12 - 1900 (759)

Subd to the 1st a Councillor.
Ms
5/11/00

Narasimhaiya son of Bishtappa may be appointed Shanbhog of Tirapura as recommend by the Deputy Commr.

Ms

A.C. 6/x/00

19.XI.00

C1 + C2

For Secretary

Draft
Bbn
5/11

Lieud to the 2nd a Commr for approval.
Ms
21/11/00.

To The Dy Commr, Shimoga district with records.

(8) 2475 [illegible] 11-12-1900

1 LR 65-97-9

[illegible]

[illegible] 28-3-98 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] - 1 - 12 - 00 - [illegible]

[illegible]

B.O

[illegible]

For Secretary

[illegible] - 1341 [illegible]

[illegible]

[illegible]

[illegible] - 1-12-00

[illegible]

B.O

[illegible] 5/12/00

For Secy

[illegible]